

REMARKS

Receipt of the Office Action of April 9, 2010 is gratefully acknowledged.

The examiner's comment regarding the declaration filed with this application is noted. The published PCT application and the ADS do identify both Messrs. Ferreira Da Silva Neto and Don Cummings as co-inventors, while the declaration filed only identifies Mr. Da Silva Neto. A new declaration executed by both inventors will be forthcoming.

The examiner has commented on the fact that the foreign language prior art submitted with the IDS have not been considered because they do not include an English language translation. English language translations or at least English language abstract will also be forthcoming.

The specification has been objected to because of the error inserted into the specification by the amendment of page 4 submitted with the Preliminary Amendment. An amendment to correct this error is being submitted herewith.

Claims 12 - 22 have been examined with the following results: claims 14 and 19 are objected to; claims 12 - 14, 16, 17 and 20 - 22 are rejected under 35 USC 102(b) by Buttridge et al; claim 18 has been rejected under 35 USC 102(b) by Lerche et al; claim 15 is rejected under 35 USC 103(a) over Buttridge et al in view of Lerche et al; and claim 19 has been rejected under 35 USC 103(a) over Buttridge et al in view of Skowron et al.

In reply, claim 14 has been cancelled and claim 19 amended to overcome the objection thereto. Claims 13, 14 and 16 have been cancelled and claim 12 amended along with claim 19. As amended, claim 12 is believed to patentably distinguish over the art of record.

In amending claim 12, it has been recited that the input unit is related to field units of process automation technology, and wherein the present invention addresses certain issues, in that field of technology, i.e., validation of plant management i.e., inspection reports, etc. In particular, the recitation of "said electronic identifier is a signature and the signature serves for the signing of electronic documents," and that "the signature is entered by the user by hand via said display" are not disclosed by Buttridge et al. And as is well settled in the law of anticipation (35 USC 102), a reference cannot anticipate a claim unless it includes *all* of the positively recited features of the claim. That is not the case here, and as a result, Buttridge et al can not anticipate claim 12.

By the present invention, a validation of inspection reports on site is enabled without having the disadvantages of paperwork to be carried out. Plus, there is a direct connection between the electronic documents, the signature and the user signing the electronic document. Thus the user is sure about the electronic document he or she signs. And, for example, for validation purposes the electronic document and the signature can be used as proof. Alternatively, the signature can be used as a simple access control to the field device. These features are not possible with Buttridge et al.

As to claim 15, which depends from claim 12, suffice it to say that Buttridge et al fails as noted above, and Lerche et al does not provide us with the features lacking in Buttridge et al. The combination, then, must also fail, and this time under 35 USC 103.

As to claim 19, which depends from claim 12, again it is sufficient to note that Buttridge et al fails as noted above and Skowron et al does not provide us with the features lacking in Buttridge et al. This combination, then, must also fail under 35 USC 103.

As to claim 18, and as noted above regarding the settled law under 35 USC 102, we do not see the wireless transmission in Leche et al as is claimed in claim

18. There is signature recognition, but certainly not wireless transmission.
Accordingly, claim 18, cannot be anticipated by Leche et al.

In view of the foregoing, reconsideration and reexamination are respectfully requested and claims 12, 15 and 17 - 22 found allowable.

Respectfully submitted,
BACON & THOMAS, PLLC



Felix J. D'Ambrosio
Attorney for Applicant
Registration Number 25,721

Date: July 9, 2010

Customer Number *23364*
BACON & THOMAS, PLLC
625 Slaters Lane, Fourth Floor
Alexandria, Virginia 22314
Telephone: (703) 683-0500
Facsimile: (703) 683-1080

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